



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D C 20350-1000

W/CH-1 3/21/97

SECNAVINST 12000.22B
ASN(M&RA)
17 February 1989

SECNAV INSTRUCTION 12000.22B

From: Secretary of the Navy

Subj: DISPOSITION OF EMPLOYEE DISCRIMINATION COMPLAINTS AND
APPEALS OF NON-VETERAN CIVILIAN MARINERS

Ref: (a) CPI 713
(b) CMPI 750
(c) Title 10, U.S.C., Chapter 5031
(d) Title 10, U.S.C., Chapter 5034
(e) Title 5, U.S.C., Chapters 301, 302, 305
(f) Title 42, U.S.C., Chapter 2000e-16
(g) Title 29, U.S.C., Chapters 791 and 794a
(h) Title 29, U.S.C., Chapter 633a
(i) Title 29, U.S.C., Part 1613
(j) SECNAVINST 5420.135C

1. Purpose. To revise policy and provide a mechanism for the fair and expeditious processing of civilian employee discrimination complaints based upon race, color, physical or mental handicap, religion, sex, age, national origin, or reprisal for prior equal employment opportunity involvement brought under reference (a); and appeals of civilian mariners brought under reference (b).

2. Cancellation. SECNAVINST 12000.22A.

3. Background. References (c) through (i) require and provide authority to the Secretary of the Navy to issue final decisions on complaints of discrimination by applicants and civilian employees of the Department of the Navy, and to decide appeals of civilian mariners employed by the Department of the Navy. The Secretary of the Navy is authorized, by reference (e), to delegate this authority to appropriate subordinate officials.

4. Responsibilities

a. The Secretary of the Navy delegates to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) the authority and responsibility to render final agency decisions on complaints of discrimination and reprisal brought under reference (a), and to decide appeals of civilian mariners brought pursuant to reference (b). ASN(M&RA) is responsible for exercising this authority Department of the Navy-wide with AUTHORITY To further delegate these responsibilities and



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17 FEB 1989

authorities. (ASN(M&RA) will publish appropriate case handling procedures for rendering final agency decisions as provided by this instruction.

b. Per reference (j), the Employee Appeals Review Board (EARB) shall function as an element of the Naval Council of Personnel Boards and will operate under the direct supervision, oversight, and administrative control of the Director, Naval Council of Personnel Boards. The Director, Naval Council of Personnel Boards, will provide the necessary staff support to ASN(M&RA) to ensure timely and effective decisions.

c. EARB shall be responsible for preparing and submitting to the ASN(M&RA) recommended decisions on complaints of discrimination and reprisal brought pursuant to reference (a), and on appeals of non-veteran civilian mariners brought pursuant to reference (b). Recommended decisions will be based upon a thorough review of the administrative record submitted to EARB.

A handwritten signature in black ink, appearing to read 'H. Lawrence Garrett, III', with a large, sweeping flourish extending from the end of the signature.

H. Lawrence Garrett, III
Acting Secretary of the Navy

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(See page 3)

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